Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006

Message Text

CONFIDENTIAL

PAGE 01 STATE 262540

61
ORIGIN ACDA-10

INFO OCT-01 EUR-12 IO-13 ISO-00 SSO-00 NSCE-00 INRE-00

USIE-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 EB-07 NRC-05

OES-06 ERDA-05 FEA-01 AF-08 ARA-06 EA-07 NEA-10 /131 R

DRAFTED BY ACDA/NTB/WT:RMIKULAK:BAC
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ACDA/GC - JMCNEILL
STATE/C - LFUERTH
STATE/PM - EIFFT
STATE/IO/SCT - LCAVANAUGH
STATE/EUR/CE - GHUMPHREY
STATE/EUR/NE - JPSHUMATE
SS - MR. SEBASTIAN
NSC - JMARCUM
OSD:RSQUIRE
OSD:TGEORGE
ERDA:HTAYLOR
JCS:CWILMOT
CIA:TFROSCHER
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TO AMEMBASSY BONN IMMEDIATE
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USMISSION IAEA VIENNA

C O N F I D E N T I A L STATE 262540

E.O. 11652: GDS

TAGS: PARM, TECH, IAEA, GW

SUBJECT: IAEA AD HOC ADVISORY GROUP ON PNES

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PAGE 02 STATE 262540

REF: US NATO 5413

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006

1. IN MID-1975 THE IAEA BOARD OF GOVERNORS (BG) ESTABLISHED AN AD HOC ADVISORY GROUP ON NUCLEAR EXPLOSIONS FOR PEACEFUL PURPOSES. THIS GROUP WAS ASKED TO ADVISE THE BOARD INTER ALIA, (A) ON THE FACTORS INVOLVED IN THE ESTABLISHMENT AND OPERATION OF AN INTERNATIONAL SERVICE FOR PNES; AND (B) WITHIN THE AGENCY'S SPHERE OF COMPETENCE, ON THE STRUCTURE AND CONTENT OF AGREEMENTS NECESSARY UNDER ARTICLE V OF THE NPT.

2. THE AD HOC GROUP'S ADVICE ON THESE QUESTIONS IS EXPECTED TO BE PRESENTED TO THE JUNE 1977 BG MEETING. THE NEXT MEETING OF THE GROUP, SCHEDULED FOR NOVEMBER 8-19, WILL DEAL LARGELY WITH LEGAL ASPECTS OF ARRANGEMENTS FOR PNE SERVICES. DURING ITS SESSIONS THE GROUP WILL DISCUSS A DRAFT DOCUMENT DRAWN UP AT THE LAST AD HOC GROUP MEETING WHICH CONTAINS PRINCIPLES WHICH MIGHT FORM THE BASIS FOR AN INTERNATIONAL PNE SERVICE. ALSO, A DRAFT OF THE ADVICE TO THE BG WILL PROBABLY BE PREPARED.

COURSE OF IAEA STUDY OF PNES WAS DISCUSSED (REFTEL). USG VIEW WAS EXPRESSED THAT AT PRESENT STAGE OF IAEA'S CONSIDERATION OF PNES IT WOULD BE PREMATURE TO ATTEMPT TO DRAFT ANY FORM OF INTERNATIONAL AGREEMENT FOR PNE SERVICES. THIS VIEW WAS SUPPORTED BY UK REPRESENTATIVE.

4. FRG EXPERT (HAUBER), HOWEVER, BROUGHT UP FRG IDEA OF MODEL "UMBRELLA AGREEMENT" ON PNE SERVICES. AT MEETINGS OF AD HOC GROUP, FRG REP HAS ALSO CONSISTENTLY ADVOCATED DRAFTING OF MODEL AGREEMENT AS NEXT STAGE IN IAEA WORK ON PNES.

5. FOR BONN: YOU SHOULD COMMUNICATE ASAP US VIEWS BELOW TO MFA OFFICIAL HAUBER:

(A) IAEA ACTIVITIES NOW UNDERWAY REPRESENT AN APPROPRIATE APPROACH TO DEVELOPMENT OF INTERNATIONAL MACHINERY FOR POSSIBLE EVENTUAL PROVISION OF PNE SERVICES BY NWS TO NNWS.

(B) THESE ACTIVITIES ARE IMPORTANT STEPS IN THE PROCESS OF CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 262540

NEGOTIATIONS SPECIFIED IN NPT ARTICLE V. THEY HAVE PROVEN USEFUL IN ASSESSING THE CURRENT STAGE OF DEVELOPMENT OF PNE APPLICATIONS AND IDENTIFYING THE PRINCIPLES ON WHICH AN INTERNATIONAL PNE SERVICE SHOULD BE BASED.

(C) STUDIES BY THE AD HOC GROUP HAVE SHOWN THAT: (1) PNES ARE STILL AT AN EARLY STAGE OF DEVELOPMENT; AND (2) THE ROLE OF THE IAEA IN AN INTERNATIONAL PNE SERVICE, AND OTHER

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006

IMPORTANT ASPECTS OF SUCH A SERVICE, ARE AT AN EARLY STAGE OF ARTICULATION AS WELL. IN CONSIDERING THE FUTURE COURSE OF NEGOTIATIONS SPECIFIED IN NPT ARTICLE V, IT IS IMPORTANT TO KEEP THESE FACTS IN MIND.

(D) THE USG IS REVIEWING THE ANALYSIS PREPARED BY AN IAEA CONSULTANT ON VARIOUS ALTERNATIVE METHODS OF SETTING UP AN INTERNATIONAL SERVICE FOR NUCLEAR EXPLOSIONS FOR PEACEFUL PURPOSES (GOV/COM. 23/14) IAEA DOCUMENT. IN ADDITION TO THE OPTIONS DISCUSSED IN THE DOCUMENT, WE BELIEVE THAT THERE SHOULD ALSO BE CONSIDERATION OF AN APPROACH IN WHICH GENERAL PRINCIPLES WOULD BE ESTABLISHED UNDER IAEA AUSPICES BUT NO MODEL AGREEMENT WOULD BE PREPARED.

(E) USG BELIEVES THAT AT THIS STAGE IT WOULD BE PREMATURE TO ATTEMPT TO DRAFT ANY FORM OF INTERNATIONAL AGREEMENT FOR PNE SERVICES. IT MIGHT, HOWEVER, BE USEFUL TO IDENTIFY PRINCIPLES WHICH REQUIRE FURTHER DEVELOPMENT AND ELABORATION.

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(F) USG WOULD WELCOME FRG SUPPORT FOR THIS APPROACH. WE HOPE THAT CLARIFICATION AND/OR ELABORATION OF FRG VIEWS ON FUTURE COURSE OF IAEA STUDY OF PNES CAN BE PROVIDED TO US PRIOR TO MEETING OF AD HOC GROUP ON NOVEMBER 8.

(G) IN VIEW OF DESIRABILITY OF COORDINATING OUR POSITIONS ON QUESTION OF PNE SERVICES, USG BELIEVES IT WOULD BE USEFUL FOR US AND FRG TO CONSULT ON THIS SUBJECT FROM TIME TO TIME. US REPS TO AD HOC GROUP MEETING WOULD ALSO WELCOME OPPORTUNITY TO DISCUSS SUBJECT WITH FRG COUNTERPARTS IN VIENNA PRIOR TO NOVEMBER 8-19 MEETING.

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PAGE 04 STATE 262540

6. FOR LONDON: PLEASE EXPRESS TO FCO OFFICIALS USG APPRECIATION FOR UK SUPPORT ON THIS SUBJECT AT NATO DISARMAMENT EXPERTS MEETING. YOU SHOULD ALSO INFORM FCO THAT WE ARE COMMUNICATING POINTS CONTAINED PARA 5 IN BONN AND WOULD WELCOME SUPPORT ON TGIS APPROACH AT AD HOC GROUP MEETING. WE WOULD ALSO BE INTERESTED IN ANY FURTHER VIEWS UK MAY HAVE ON SUBJECT ON FUTURE COURSE OF IAEA CONSIDERATION OF PNES.

7. FOR IAEA VIENNA: DEPT. WOULD WELCOME ANY INFORMATION MISSION MAY PICK UP CONCERNING VIEWS OF OTHER NATIONS REPRESENTED ON AD HOC GROUP WITH REGARD TO: FUTURE COURSE OF IAEA CONSIDERATION OF PNES; ATTITUDES REGARDING UPCOMING MEETING. KISSINGER

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006

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